

EXHIBIT 10

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

**COALITION FOR GOOD
GOVERNANCE and DONNA
CURLING,**

Plaintiffs,

v.

**COFFEE COUNTY BOARD OF
ELECTIONS AND REGISTRATION,**

Defendant.

**Civil Action No. 5:23-mc-00001-
LGW-BWC**

**In RE Subpoenas issued by the
United States District Court
For the Northern District of
Georgia, Atlanta Division,
Civil Action File No. 1:17-CV-
2989-AT**

DECLARATION OF MARILYN MARKS

MARILYN MARKS hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I have personal knowledge of all facts stated in this declaration, and if called to testify, I could and would testify competently thereto.
2. I am the Executive Director of Plaintiff Coalition for Good Governance (“CGG”), a plaintiff in this action and the underlying Curling v. Raffensperger litigation.
3. This declaration supplements my declaration of February 20, 2024. (Doc. 60-4)

4. Legal counsel has concluded that a reasonable estimate of the excess work directly attributable to identifiable specific instances of CCOBER's discovery misconduct includes depositions of Ed Voyles, Alex Cruce, Jil Ridlehoover, and Benjamin Cotton, and the efforts to recover, organize and review the contents of the CCBOER desktop image of obtained from the GBI.

5. In preparing this declaration, I have reviewed all my emails and documents from the period of time in which these depositions were taken. Exhibit 1 shows a portion of the hours that I spent – 87.5 hours; the actual amount of hours is undoubtedly much higher. 6. The nature of the this specific work involved extensive research of potential and planned discovery efforts for each witness, drafting rough outlines for subpoenas, reviewing and organizing documents, drafting lists of questions topics and follow-up questions. I also attended every deposition and participated in post-deposition follow up sessions with counsel, experts, and volunteers.

7. The extensive discovery work I did in relation to the GBI image containing thousands of documents from the CCBOER office desktop included the following. First, I originally discovered that the GBI had Ms. Hampton's emails and was heavily involved in communications

relating to obtaining the GBI with counsel and with our experts. Kevin Skoglund and I were the primary individuals who searched, reviewed, organized and prioritized the relevant communications and documents located on the GBI image. I determined the primary documents of interest that were covered by our subpoenas to CCBOER but never produced.

8. The hours do not include the litigation support work I undertook for the Motion to Compel and related filings.

9. In addition to the 87.5 hours of work directly attributable to the discrete projects listed above, as stated in my February 20, 2024 declaration, I averaged no less than 30 hours a week devoted to Coffee breach-related discovery, investigation, research, communication, and coordination with attorneys and experts from approximately March 1, 2022 until early December 2023. The litigation support value of such work would greatly exceed the \$300,000 noted in my February 20, 2024 declaration.

This 4th day of March, 2024



Marilyn Marks

Incremental Discovery

Efforts	Dates	Hours	Description
Ed Voyles Deposition	9/10/24	1	plan subpoena, confer with 1 legal team
	9/11/22, 9/11/13		draft subpoena, confer with 1 legal team
	9/13/2022; 9/14/22;		
	10/23/22; 10/31/22;		plan organize subpoena service
	11/5/22; 11/12/22	1.75	and depo location
	<u>9/19/22; 9/20/22;</u>		
	<u>10/31/22; 11/1/22;</u>		Manage process server with
	<u>11/3/22;</u>	1.5	service difficulties
	<u>11/10/22</u>	0.5	Revise document requests list
	11/9/22; 11/13/22;		Document review preparing for
	11/15/22	1.75	1.75 Deposition
	11/13/22; 11/14/22;		Draft deposition questions,
	11/15/22;	2	confer with Brown, experts
	10/2/22; 11/12/22;		Document organization for
	11/14/22; 11/15/22;	5	5 depositoin
	11/16/22		Deposition monitoring,
	12/11/22	8	conferral with Brown
		2	Transcriot review
Ben Cotton Deposition	7/19/22	0.5	Review subpoena
	6/10/22; 6/16/22;		
	6/29/22; 7/12/22;		Document review planning for
	8/24/2022; 8/5/22	2.5	2.5 deposition
	8/24/22		Rough draft deposition
		1.5	questions
	8/25/22		Deposition monitoring,
	9/8/22	7	conferral with Brown
		2	Transcript review
Jil Ridlehoover	7/19/22		Review subpoena and communications
	8/10/22		Document review of deposition
		2.5	planning

		Review draft deposition
8/15/22		1 questions
8/14/22		3 (25%)
		Meet with team for planning
8/16/22		0.5 depo
		Monitoring deposition,
8/16/22		4 conferral with counsel
9/3/22		1 Review transcript

Alex Cruce	10/21/2022; 10/23/22	2 Draft Subpoena
	10/24/22	1 Organize service of subpoena efforts to obtain compliance
	11/21/22	1 with document production
	11/21/22;11/22/22;	draft deposition questions
	11/15/22	2 ,confer with Brown deposition monitoring,
	11/23/22	6 conferral with Brown follow up on obtainng
	11/27/2022; 12/7/22	2 documents
	11/28/22	0.5 transcript review
hours		64.5

GBI IMAGE

11/17/23	organizing transfer obtaining 2 GBI image
11/21/23	reviewing email contents and 2 comparing records
11/21/22; 11/23/22;11/25/23; 11/24/23; 11/23/23; 12/2/23;	preparing queries, searching records, organizing records, 10 cross-referencing emails
2/5/24; 2/24/24;2/20/24; 12/3/23; 2/6/24	researching emails on GBI 9 image, cross referencing docs
hours	23
Total	87.5
at \$300	\$26,250